

PROPERTY DESCRIPTION:

Civic address: 788 Sheep Creek Road, Kaleden, BC, V0H 1K0

Legal Description (e.g. Lot, Plan No. and District Lot):
Lot A, Plan KAP65129, District Lot 3286, SDYD

Current land use:
Residential with farm status

Surrounding land uses:
Mixture of residential, residential with farm status, crown land, cattle pasture

REQUESTED VARIANCE(S):

List all requested variances to the regulations in bylaws of the Regional District. Each variance should be marked on the applicable drawings. A variance cannot be considered where use or density would be affected.

Zoning Bylaw: Okanagan Valley Zoning Bylaw No. 2800 2022

Section No.: 14.15.(d)(iii)

Current regulation: Interior side parcel line setback of 15.0 metres

Proposed variance: Revise interior side parcel setback to 4.725 metres

Section No.:

Current regulation:

Proposed variance:

DEVELOPMENT INFORMATION:

Please provide a general description of the proposed development:
(e.g. "to allow for an addition over an existing garage")

to allow for a covered outdoor riding arena; cover has structural supports along two sides with an open design (no solid walls) and a roof

SUPPORTING RATIONALE:

When considering a variance request, Regional District staff will *generally* assess the proposal against the following criteria:

- *is the proposed variance consistent with the general purpose and intent of the zone?*
- *is the proposed variance addressing a physical or legal constraint associated with the site (e.g., unusual parcel shape, topographical feature, statutory right-of-way, etc.)?*
- *is strict compliance with the zoning regulation unreasonable or un-necessary?*
- *will the proposed variance unduly impact the character of the streetscape or surrounding neighbourhood?*

A request to change a zoning regulation should only be considered as a last resort to a design challenge. Please explain how the requested variance(s) meet the assessment criteria listed above:

Q1: is the proposed variance consistent with the general purpose and intent of the zone?
Yes, equestrian structures are listed as principal uses in Large Holdings 1 zoned properties.

Q2: is the proposed variance addressing a physical or legal constraint associated with the site (e.g., unusual parcel shape, topographical feature, statutory right-of-way, etc.)?
The property is located on a mountainside which comes with topographical features like steep vertical grades that limit where structures could be reasonably placed without significant excavation to reshape mountainside.

Q3: is strict compliance with the zoning regulation unreasonable or un-necessary?
Yes, strict compliance is unreasonable. The minimum side setback (4.5m) for a parcel of this size is still being maintained as per 14.15.(a)(iii).

Q4: will the proposed variance unduly impact the character of the streetscape or surrounding neighbourhood?
The structure is setback from the road min. 125m to the closest point minimizing impact to the streetscape. The structure has no walls to minimize the visual impact to the surrounding areas.